IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DAVIS et al.

Title: DIGITALLY MARKED OBJECTS AND PROMOTIONAL METHODS

Appl. No.: 09/697,009

Filing Date: 10/25/2000

Examiner: Raquel Alvarez

Art Unit: 3682

Confirmation 4530

Number:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.56

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(iii) to submit copies of cited pending applications which are stored in the USPTO's Image File Wrapper (IFW) system. Applications filed on or after June 30, 2003, and international applications that have entered the national stage on or after June 30, 2003, have been or are being scanned into the IFW system. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to OG Notice dated October 19, 2004, *Waiver of the Copy Requirement in 37 CFR 1.98 for Cited Pending U.S. Patent Applications*.

MADI_2780404.1 -1-

The present application is legally related and/or contains subject matter related to a large number of pending U.S. applications and/or granted U.S. patents. A listing of these related applications/patents is provided below and also on the SB/08 form submitted herewith. Applicant respectfully requests that the Examiner consider any references cited in these related cases.

U.S. Granted Patents

| US Pat. No. | Grant Date | Inventor |
|-------------|------------|-----------------------------|
| RE40919 | 1/19/1999 | Geoffrey B. Rhoads |
| 5862260 | 1/19/1999 | Geoffrey B. Rhoads |
| 6122403 | 9/19/2000 | Geoffrey B. Rhoads |
| 6229924 | 5/8/2001 | Geoffrey B. Rhoads, et al. |
| 6307949 | 10/23/2001 | Geoffrey B. Rhoads |
| 6311214 | 10/30/2001 | Geoffrey B. Rhoads |
| 6381341 | 4/30/2002 | Geoffrey B. Rhoads |
| 6385329 | 5/7/2002 | Ravi K. Sharma, et al |
| 6408082 | 6/18/2002 | Geoffrey B. Rhoads, et al |
| 6421070 | 7/16/2002 | Daniel O. Ramos, et al |
| 6424725 | 7/23/2002 | Geoffrey B. Rhoads, et al |
| 6516079 | 2/4/2003 | Geoffrey B. Rhoads, et al |
| 6522770 | 2/18/2003 | Phillip Andrew Seder, et al |
| 6535617 | 3/18/2003 | Brett T. Hannigan, et al |
| 6542927 | 4/1/2003 | Geoffrey B. Rhoads |
| 6553129 | 4/22/2003 | Geoffrey B. Rhoads |
| 6567533 | 5/20/2003 | Geoffrey B. Rhoads |
| 6580808 | 6/17/2003 | Geoffrey B. Rhoads |
| 6590996 | 7/8/2003 | Alastair M. Reed, et al |
| 6611607 | 8/26/2003 | Bruce L. Davis, et al |
| 6614914 | 9/2/2003 | Geoffrey B. Rhoads, et al |
| 6647128 | 11/11/2003 | Geoffrey B. Rhoads |
| 6647130 | 11/11/2003 | Geoffrey B. Rhoads |
| 6650761 | 11/18/2003 | Tony F. Rodriguez, et al |
| 6681028 | 1/20/2004 | Tony F. Rodriguez, et al |
| 6681029 | 1/20/2004 | Geoffrey B. Rhoads |
| 6694042 | 2/17/2004 | Phillip Andrew Seder, et al |
| 6694043 | 2/17/2004 | Phillip Andrew Seder, et al |
| 6700990 | 3/2/2004 | Geoffrey B. Rhoads |
| 6700995 | 3/2/2004 | Alastair M. Reed |
| 6704869 | 3/9/2004 | Geoffrey B. Rhoads, et al |
| 6718046 | 4/6/2004 | Alastair M. Reed, et al |
| 6718047 | 4/6/2004 | Geoffrey B. Rhoads |
| 6721440 | 4/13/2004 | Alastair M. Reed, et al |
| 6760463 | 7/6/2004 | Geoffrey B. Rhoads |
| 6763123 | 7/13/2004 | Alastair M. Reed, et al |
| 6768809 | 7/27/2004 | Geoffrey B. Rhoads, et al |

MADI_2780404.1 -2-

| 6775392 | 8/10/2004 | Geoffrey B. Rhoads |
|---------|------------|-----------------------------|
| 6798894 | 9/28/2004 | Geoffrey B. Rhoads |
| 6813366 | 11/2/2004 | Geoffrey B. Rhoads |
| 6879701 | 4/12/2005 | Geoffrey B. Rhoads |
| 6917724 | 7/12/2005 | Phillip Andrew Seder, et al |
| 6920232 | 7/19/2005 | Geoffrey B. Rhoads |
| 6947571 | 9/20/2005 | Geoffrey B. Rhoads, et al |
| 6975746 | 12/13/2005 | Bruce L. Davis, et al |
| 6988202 | 1/17/2006 | Geoffrey B. Rhoads, et al |
| 6996252 | 2/7/2006 | Alastair M. Reed, et al |
| 7003731 | 2/21/2006 | Geoffrey B. Rhoads, et al |
| 7024016 | 4/4/2006 | Geoffrey B. Rhoads, et al |
| 7027614 | 4/11/2006 | Alastair M. Reed |
| 7035427 | 4/25/2006 | Geoffrey B. Rhoads |
| 7044395 | 5/16/2006 | Bruce L. Davis, et al |
| 7051086 | 5/23/2006 | Geoffrey B. Rhoads, et al |
| 7054465 | 5/30/2006 | Geoffrey B. Rhoads |
| 7062069 | 6/13/2006 | Geoffrey B. Rhoads |
| 7095871 | 8/22/2006 | Kevin C. Jones, et al |
| 7111170 | 9/19/2006 | Geoffrey B. Rhoads, et al |
| 7113614 | 9/26/2006 | Geoffrey B. Rhoads |
| 7139408 | 11/21/2006 | Geoffrey B. Rhoads, et al |
| 7158654 | 1/2/2007 | Geoffrey B. Rhoads |
| 7164780 | 1/16/2007 | Trent J. Brundage, et al |
| 7171016 | 1/30/2007 | Geoffrey B. Rhoads |
| 7174031 | 2/6/2007 | Geoffrey B. Rhoads, et al |
| 7177443 | 2/13/2007 | Geoffrey B. Rhoads |
| 7213757 | 5/8/2007 | Robert Jones, et al |
| 7224819 | 5/29/2007 | Kenneth L. Levy, et al |
| 7248717 | 7/24/2007 | Geoffrey B. Rhoads |
| 7261612 | 8/28/2007 | Brett T. Hannigan, et al |
| 7305104 | 12/4/2007 | J. Scott Carr, et al |
| 7308110 | 12/11/2007 | Geoffrey B. Rhoads |
| 7313251 | 12/25/2007 | Geoffrey B. Rhoads |
| 7319775 | 1/15/2008 | Ravi K. Sharma, et al |
| 7330564 | 2/12/2008 | Trent J. Brundage, et al |
| 7369678 | 5/6/2008 | Geoffrey B. Rhoads |
| 7377421 | 5/27/2008 | Geoffrey B. Rhoads |
| 7391880 | 6/24/2008 | Alastair M. Reed, et al |
| 7406214 | 7/29/2008 | Geoffrey B. Rhoads, et al |
| 7424131 | 9/9/2008 | Adnan M. Alattar, et al |
| 7427030 | 9/23/2008 | Robert Jones, et al |
| 7433491 | 10/7/2008 | Geoffrey B. Rhoads |
| 7444000 | 10/28/2008 | Geoffrey B. Rhoads |
| 7444392 | 10/28/2008 | Geoffrey B. Rhoads, et al |
| 7450734 | 11/11/2008 | Tony F. Rodriguez, et al |
| 7460726 | 12/2/2008 | Kenneth L. Levy, et al |
| 7466840 | 12/16/2008 | Geoffrey B. Rhoads |
| 7486799 | 2/3/2009 | Geoffrey B. Rhoads |
| 7502759 | 3/10/2009 | Brett T. Hannigan, et al |
| 1000107 | | |

MADI_2780404.1 -3-

| 7508955 | 3/24/2009 | J. Scott Carr, et al |
|---------|------------|---------------------------|
| 7515733 | 4/7/2009 | Geoffrey B. Rhoads |
| 7536034 | 5/19/2009 | Geoffrey B. Rhoads, et al |
| 7537170 | 5/26/2009 | Alastair M. Reed, et al |
| 7545952 | 6/9/2009 | Trent J. Brundage, et al |
| 7564992 | 7/21/2009 | Geoffrey B. Rhoads |
| 7602978 | 10/13/2009 | Kenneth L. Levy, et al |
| 7628320 | 12/8/2009 | Geoffrey B. Rhoads |
| 7643649 | 1/5/2010 | Bruce L. Davis, et al |
| 7650009 | 1/19/2010 | Geoffrey B. Rhoads |
| 7653210 | 1/26/2010 | Geoffrey B. Rhoads |
| 7657058 | 2/2/2010 | Ravi K. Sharma |
| 7685426 | 3/23/2010 | Daniel O. Ramos, et al |
| 7693300 | 4/6/2010 | Alastair M. Reed, et al |
| 7697719 | 4/13/2010 | Geoffrey B. Rhoads |
| 7711143 | 5/4/2010 | Geoffrey B. Rhoads |
| 7738673 | 6/15/2010 | Alastair M. Reed |
| 7747038 | 6/29/2010 | Geoffrey B. Rhoads |
| 7751588 | 7/6/2010 | Geoffrey B. Rhoads |
| 7751596 | 7/6/2010 | Geoffrey B. Rhoads |
| 7756290 | 7/13/2010 | Geoffrey B. Rhoads |
| 7760905 | 7/20/2010 | Geoffrey B. Rhoads, et al |
| 7762468 | 7/27/2010 | Alastair M. Reed, et al |
| 7787653 | 8/31/2010 | Geoffrey B. Rhoads |
| 7792325 | 9/7/2010 | Geoffrey B. Rhoads, et al |
| 7822225 | 10/26/2010 | Adnan M. Alattar |
| 7837094 | 11/23/2010 | Geoffrey B. Rhoads |
| 7945781 | 5/17/2011 | Geoffrey B. Rhoads |
| 7949147 | 5/24/2011 | Geoffrey B. Rhoads, et al |
| 7953270 | 5/31/2011 | Geoffrey B. Rhoads |
| 7953824 | 5/31/2011 | Geoffrey B. Rhoads, et al |
| 7957553 | 6/7/2011 | Eric E. Ellingson, et al |
| 7961949 | 6/14/2011 | Kenneth L. Levy, et al |
| 7970166 | 6/28/2011 | J. Scott Carr, et al |
| 7970167 | 6/28/2011 | Geoffrey B. Rhoads |

Published Applications

| Publication No. | Publication Date | Inventor |
|-----------------|------------------|-----------------------------|
| 2001-0034705 | 10/25/2001 | Geoffrey B. Rhoads, et al |
| 2001-0055407 | 12/27/2001 | Geoffrey B. Rhoads |
| 2002-0009208 | 1/24/2002 | Adnan M. Alattar, et al |
| 2002-0131076 | 9/19/2002 | Bruce L. Davis |
| 2002-0176003 | 11/28/2002 | Phillip Andrew Seder, et al |
| 2002-0186886 | 12/12/2002 | Geoffrey B. Rhoads |
| 2002-0196272 | 12/26/2002 | Daniel O. Ramos, et al |
| 2003-0040957 | 2/27/2003 | Geoffrey B. Rhoads, et al |
| 2003-0105730 | 6/5/2003 | Bruce L. Davis, et al |

MADI_2780404.1 -4-

| 2003-0130954 | 7/10/2003 | J. Scott Carr, et al |
|--------------|------------|---------------------------|
| 2004-0005093 | 1/8/2004 | Geoffrey B. Rhoads |
| 2004-0190750 | 9/30/2004 | Tony F. Rodriguez, et al |
| 2004-0240704 | 12/2/2004 | Alastair M. Reed |
| 2004-0264733 | 12/30/2004 | Geoffrey B. Rhoads, et al |
| 2005-0041835 | 2/24/2005 | Alastair M. Reed, et al |
| 2005-0058318 | 3/17/2005 | Geoffrey B. Rhoads |
| 2005-0192933 | 9/1/2005 | Geoffrey B. Rhoads, et al |
| 2006-0013435 | 1/19/2006 | Geoffrey B Rhoads |
| 2006-0041591 | 2/23/2006 | Geoffrey B Rhoads |
| 2006-0251291 | 11/9/2006 | Geoffrey B Rhoads |
| 2007-0055884 | 3/8/2007 | Geoffrey B. Rhoads |
| 2007-0108287 | 5/17/2007 | Bruce L. Davis, et al |
| 2007-0276841 | 11/29/2007 | Geoffrey B. Rhoads, et al |
| 2007-0276928 | 11/29/2007 | Geoffrey B. Rhoads, et al |
| 2008-0121728 | 5/29/2008 | Tony F. Rodriguez |
| 2008-0133555 | 6/5/2008 | Geoffrey B. Rhoads, et al |
| 2008-0292134 | 11/27/2008 | Ravi K. Sharma, et al |
| 2009-0012944 | 1/8/2009 | Tony F. Rodriguez, et al |
| 2009-0125475 | 5/14/2009 | Geoffrey B. Rhoads, et al |
| 2009-0286572 | 11/19/2009 | Geoffrey B. Rhoads, et al |
| 2010-0045816 | 2/25/2010 | Geoffrey B. Rhoads |
| 2010-0062819 | 3/11/2010 | Brett T Hannigan, et al |
| 2010-0172540 | 7/8/2010 | Bruce L. Davis, et al |
| 2010-0198941 | 8/5/2010 | Geoffrey B. Rhoads |
| 2011-0007936 | 1/13/2011 | Geoffrey B. Rhoads |
| 2011-0026777 | 2/3/2011 | Geoffrey B. Rhoads, et al |
| 2011-0051998 | 3/3/2011 | Geoffrey B Rhoads |
| 2011-0062229 | 3/17/2011 | Geoffrey B. Rhoads |
| 2011-0091066 | 4/21/2011 | Adnan M. Alattar |
| | | Geoffrey B. Rhoads |

Unpublished Applications

| US Patent Serial No. | Filing Date | Inventor |
|----------------------|-------------|---------------------------|
| 09/343101 | 6/29/1999 | Bruce L. Davis, et al |
| 09/343104 | 6/29/1999 | Tony F. Rodriguez, et al |
| 09/413117 | 10/6/1999 | Geoffrey B. Rhoads |
| 09/482749 | 1/13/2000 | Geoffrey B. Rhoads |
| 09/507096 | 2/17/2000 | Geoffrey B. Rhoads, et al |
| 09/552998 | 4/19/2000 | Tony F. Rodriguez, et al |
| 09/567405 | 5/8/2000 | Geoffrey B. Rhoads, et al |
| 09/629649 | 8/1/2000 | J. Scott Carr, et al |
| 09/633587 | 8/7/2000 | Geoffrey B. Rhoads, et al |
| 09/689289 | 10/11/2000 | Geoffrey B. Rhoads, et al |
| 09/697015 | 10/25/2000 | Bruce L Davis, et al |
| 12/844651 | 7/27/2010 | Alastair M. Reed, et al |
| 13/084981 | 4/12/2011 | Geoffrey B. Rhoads |

MADI_2780404.1 -5-

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing of a first Office action after the filing of a Request for Continued Examination under §1.114.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required, the Commissioner is hereby authorized to charge any additional fees which may be due to Deposit Account No. 19-0741.

MADI_2780404.1 -6-

Respectfully submitted,

Date <u>August 19, 2011</u>

FOLEY & LARDNER LLP Customer Number: 23524 Telephone: (608) 258-4292 Facsimile: (608) 258-4258 Paul S. Hunter Attorney for Applicant Registration No. 44,787

-7-